

(A) the Chilhowee Reservoir ceases to exist; or  
(B) the Commission issues a final order decommissioning the Project from which no further appeal may be taken.

(2) **APPLICABLE LAW.**—A reversion under this subsection shall not eliminate APGI's responsibility to comply with all applicable provisions of the Federal Power Act (16 U.S.C. 791a et seq.), including regulations.

(g) **BOUNDARY ADJUSTMENT.**—

(1) **IN GENERAL.**—On completion of the land exchange authorized under this section, the Secretary shall—

(A) adjust the boundary of the Park to include the land described in subsection (a)(2); and

(B) administer any acquired land as part of the Park in accordance with applicable law (including regulations).

(2) **NATIONAL PARK SERVICE LAND.**—Notwithstanding the exchange of land under this section, the land described in subsection (a)(3) shall remain in the boundary of the Park.

(3) **PUBLIC NOTICE.**—The Secretary shall publish in the Federal Register notice of any boundary revised under paragraph (1).

#### SEC. 4. PROJECT LICENSING.

Notwithstanding the continued inclusion of the land described in section 3(a)(3) in the boundary of the Park (including any modification made pursuant to section 3(b)) on completion of the land exchange, the Commission shall have jurisdiction to license the Project.

#### SEC. 5. LAND ACQUISITION.

(a) **IN GENERAL.**—The Secretary or the Secretary of Agriculture may acquire, by purchase, donation, or exchange, any land or interest in land that—

(1) may be transferred by APGI to any non-governmental organization; and

(2) is identified as "Permanent Easement" or "Term Easement" on the map entitled "Tapoco Hydroelectric Project, P-2169, Settlement Agreement, Appendix B, Proposed Land Conveyances in Tennessee", numbered TP616, Issue No. 15, and dated March 11, 2004.

(b) **LAND ACQUIRED BY THE SECRETARY OF THE INTERIOR.**—The Secretary shall—

(1) adjust the boundary of the Park to include any land or interest in land acquired by the Secretary under subsection (a);

(2) administer any acquired land or interest in land as part of the Park in accordance with applicable law (including regulations); and

(3) publish notice of the adjustment in the Federal Register.

(c) **LAND ACQUIRED BY THE SECRETARY OF AGRICULTURE.**—

(1) **BOUNDARY ADJUSTMENT.**—The Secretary of Agriculture shall—

(A) adjust the boundary of the Cherokee National Forest to include any land acquired under subsection (a);

(B) administer any acquired land or interest in land as part of the Cherokee National Forest in accordance with applicable law (including regulations); and

(C) publish notice of the adjustment in the Federal Register.

(2) **MANAGEMENT.**—The Secretary of Agriculture shall evaluate the feasibility of managing any land acquired by the Secretary of Agriculture under subsection (a) in a manner that retains the primitive, back-country character of the land.

#### SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 2319), as amended, was read the third time and passed.

#### FRANNIE, WYOMING LAND CONVEYANCE

The Senate proceeded to consider the bill (S. 155) to convey to the town of

Frannie, Wyoming, certain land withdrawn by the Commissioner of Reclamation, which had been reported from the Committee on Energy and Natural Resources, with an amendment, as follows:

[Insert the part shown in *italic*.]

S. 155

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. CONVEYANCE OF LAND TO THE TOWN OF FRANNIE, WYOMING.

(a) **CONVEYANCE.**—Subject to valid existing rights, the Secretary of the Interior shall convey by *quitclaim deed*, without consideration, all right, title, and interest of the United States in and to the parcel of land described in subsection (b) to the town of Frannie, Wyoming.

(b) **DESCRIPTION OF LAND.**—The parcel of land referred to in subsection (a) is the parcel of land withdrawn by the Commissioner of Reclamation—

(1) consisting of approximately 37,500 square feet;

(2) located in the town of Frannie, Wyoming; and

(3) more particularly described in the approved Plat of Survey of Frannie Townsite, Wyoming, as the North ½ of Block 26, T. 58 N. R. 97 W.

(c) **RESERVATION OF MINERAL RIGHTS.**—The conveyance under subsection (a) shall be subject to the reservation by the United States of any oil and gas rights.

(d) **REVOCATIONS.**—

(1) **SPECIAL USE PERMIT.**—The special use permit issued by the Commissioner of Reclamation, numbered O-LM-60-L1413, and dated April 20, 1990, is revoked with respect to the land described in subsection (b).

(2) **SECRETARIAL ORDERS.**—The following Secretarial Orders issued by the Commissioner of Reclamation are revoked with respect to the land described in subsection (b):

(A) The Secretarial Order for the withdrawal of land for the Shoshone Reclamation Project dated October 21, 1913, as amended.

(B) The Secretarial Order for the withdrawal of land for the Frannie Townsite Reservation dated April 19, 1920.

The committee amendment was agreed to.

The bill (S. 155), as amended, was read the third time and passed.

#### RIO GRANDE NATURAL AREA ACT

The Senate proceeded to consider the bill (S. 1467) to establish the Rio Grande Outstanding Natural Area in the State of Colorado, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

(Strike the part shown in black brackets and insert the part shown in *italic*.)

S. 1467

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

[This Act may be cited as the "Rio Grande Outstanding Natural Area Act".]

#### SEC. 2. FINDINGS AND PURPOSES.

[(a) **FINDINGS.**—Congress finds as follows:

[(1) Preservation and restoration of the land in the Area are required to preserve the Area's unique scientific, scenic beauty, educational, and environmental values, includ-

ing unique land forms, scenic beauty, cultural sites, and habitats used by various species of raptors and other birds, mammals, reptiles, and amphibians.

[(2) There are archaeological and historic sites in the Area resulting from at least 10,000 years of use for subsistence and commerce.

[(3) The archaeological sites represent regional ancestry, including Paleo-Indian and nomadic bands of Ute and Apache.

[(4) The Area contains exceptional scenic values and opportunities for wildlife viewing.

[(5) Approximately 2,771 acres of land within the Area are owned by the United States and administered by the Secretary, acting through the Director of the Bureau of Land Management, and approximately 7,885 acres of land within the Area are owned by private landowners.

[(6) The Area is located downstream from areas in Colorado of significant and long-standing water development and use.

[(7) The availability of water for use in Colorado is governed, in significant part, by the Compact, which obligates the State of Colorado to deliver certain quantities of water to the Colorado-New Mexico State line for the benefit of the States of New Mexico and Texas in accordance with the terms of the Compact.

[(8) Because of the allocations of water made by the Compact to downstream States, the levels of use and development of water in Colorado, and the unpredictable and seasonal nature of the water supply, the Secretary shall manage the land within the Area to accomplish the purposes of this Act without asserting reserved water rights for instream flows or appropriating or acquiring water rights for that purpose.

[(b) **PURPOSES.**—The purposes of this Act are to conserve, restore, and protect for future generations the natural, ecological, historic, scenic, recreational, wildlife, and environmental resources of the Area.

#### SEC. 3. DEFINITIONS.

[In this Act:

[(1) **AREA.**—The term "Area" means the Rio Grande Outstanding Natural Area established under section 4.

[(2) **AREA MANAGEMENT PLAN.**—The term "Area Management Plan" means the plan developed by the Commission in cooperation with Federal, State, and local agencies and approved by the Secretary.

[(3) **COMMISSION.**—The term "Commission" means the Rio Grande Outstanding Natural Area Commission as established in this Act.

[(4) **COMPACT.**—The term "Compact" means the Rio Grande Compact, consented to by Congress in the Act of May 31, 1939 (53 Stat. 785, chapter 155).

[(5) **MAP.**—The term "Map" means the map entitled "", dated , and numbered .

[(6) **PUBLIC LANDS.**—The term "public lands" has the meaning given that term in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

[(7) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

[(8) **STATE.**—The term "State" means the State of Colorado.

#### SEC. 4. ESTABLISHMENT OF AREA.

[(a) **IN GENERAL.**—There is established the Rio Grande Outstanding Natural Area.

[(b) **BOUNDARIES.**—The Area shall consist of approximately 10,656 acres extending for a distance of 33.3 miles along the Rio Grande River in southern Colorado from the southern boundary of the Alamosa National Wildlife Refuge to the Colorado-New Mexico State line, encompassing the Rio Grande River and its adjacent riparian areas extending not more than 1,320 feet on either side of the river.